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*Interim Lead Class Counsel for Direct Purchaser Plaintiffs*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

IN RE CAPACITORS ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO:  
 ALL DIRECT PURCHASER ACTIONS

**DIRECT PURCHASER PLAINTIFFS’  
 ADMINISTRATIVE MOTION TO FILE  
 UNDER SEAL PORTIONS OF THE  
 FIRST AMENDED CONSOLIDATED  
 COMPLAINT PURSUANT TO CIVIL  
 LOCAL RULES 7-11 AND 79-5**

Pursuant to Civil Local Rules 7-11 and 79-5, Direct Purchaser Plaintiffs (“Plaintiffs”) hereby move the Court to file under seal portions of Paragraphs 194, 206, 212-213, 215-217, 230, 237-257, 261, 263, 265, 271-273, 278-280, 282-283, 290, 292, 294, 299-304, 306, and 359 of the Direct Purchaser Plaintiffs’ First Amended Consolidated Complaint (“Amended Complaint”). As explained in greater detail in the Declaration of Joseph R. Saveri (“Saveri Declaration”), filed herewith, one or more Defendants have designed some of this information as “Confidential” or “Highly Confidential” under the Protective Order. (*See* Dkt. 563.)

A redacted version of the Amended Complaint has been electronically filed on the public docket. An unredacted version has been electronically submitted to the Court under seal pursuant to Civil Local Rule 79-5. Plaintiffs will serve both versions on Defendants.

Civil Local Rule 79-5 governs the filing under seal of documents or portions of documents that contain material that is “privileged, protectable as a trade secret or otherwise entitled to protection under the law.” Civ. L. R. 79-5(b). A party seeking to file a document, or portions thereof, under seal must file an administrative motion to file under seal. Civ. L. R. 79-5(d)(1). Additional procedures apply where the submitting party seeks to file under seal material designated as confidential by the opposing party or a non-party. Civ. L. R. 79-5(e).

Because the material at issue has been designated confidential by another party, it is the burden of that party to establish that the designated information is sealable. Civil L.R. 79-5(e)(1); *see Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-80 (9th Cir. 2006). Plaintiffs take no position on the question of whether the redacted information is “privileged, protectable as a trade secret or otherwise entitled to protection under the law.” Civ. L.R. 79-5(b). Accordingly, Plaintiffs submit the attached proposed order only to comply with Civ. L. R. 79-5(d)(1)(B). Plaintiffs take no position on whether the Court should grant the proposed order.

Dated: June 16, 2015

JOSEPH SAVERI LAW FIRM, INC.

By: /s/ Joseph R. Saveri  
Joseph R. Saveri

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